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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09-781,887	02/09/2001	Peter Joseph Hyzin	CMA-0315 (01)	9635

7590 06/20/2003

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EXAMINER

LEE, HWA S

ART UNIT	PAPER NUMBER
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2877

DATE MAILED: 06/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/781,887

Applicant(s)

HYZIN ET AL.

Examiner

Andrew H. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 11 and 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-9 is/are rejected.
- 7) ☐ Claim(s) 6 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION*****Election/Restrictions***

1. Claims 11 and 12 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected method of making a optical fiber connector, there being no allowable generic or linking claim. Election was made **without** traverse in a phone interview with Leon Rosen on 06/11/03.

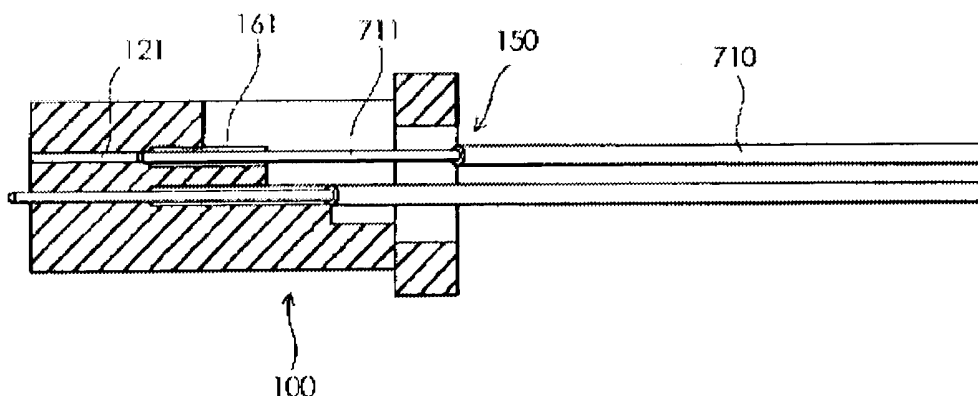
***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-5, 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai et al (5,815,621) in view of Boero et al (5,150,516).

4.



5.

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As for claims 1, 4, and 7-9, Sakai et al (Sakai hereinafter) show an optical fiber connector comprising:

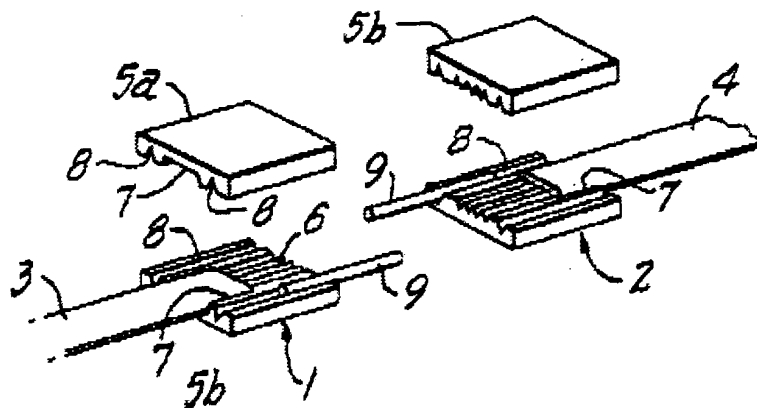
a housing (100) that has a mating face and a plurality of parallel fiber-receiving bores (121) extending in a longitudinal direction through the housing to the mating face thereof, with each bore having a front end portion that extends to the mating face of the housing, with each fiber (711) of a set of fibers extending through a different one of said bores of the housing, with each fiber having an end fixed in position in the bore;

the tips of each of said fibers lying in the housing and the mating face of the housing, all lie precisely flush and in a common optical plane;

each of said bore front end portions has an inside diameter that is less than twice the outside of the fiber portion lying therein.

Sakai does not show the pair of housings. Boero et al (Boero hereinafter) show a connecting means for ribbon optical fiber wherein the a pair of connectors are substantially identical with an alignment hole (8) on one end and an alignment pin (9) on the other end. At the time of the invention, one of ordinary skill in the art would have modified Sakai to have a pair of housings that are substantially identical with an alignment hole on one end and an alignment pin on the other end in order to make the connectors more modular and decrease production costs by making only one type of housing.

FIG. 1.



As for claims 2,3, Sakai gives an example where the bore is no more than 102% of the corresponding optical fiber.

6. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai and Boero as applied to claim 1 above, and further in view of Hyzin (5,778,121).

Sakai and Boero do not show a groove with elastomeric seals. Hyzin shows a groove and an o-ring seal. At the time of the invention, one of ordinary skill in the art would have modified Sakai and Boero to have a groove with an elastomeric seal as suggested by Hyzin in order to seal out environmental elements such as dirt or water.

#### *Allowable Subject Matter*

7. Claims 6 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to show or to suggest a multi-fiber interconnect system comprising of all the elements as presently claimed further comprising a second substantially identical housing, each housing having opposite first and second sides and having first and second opposite flanges with first and second holes in each flange wherein each first hole lies closest to said first side and each second hole lies closest to said second side; a pair of panel mount screws, each lying in the first hole in a first of said flanges and the second hole in the second of said flanges of said first housing, for mounting said first housing on a panel; a pair of connector-joining screws, each lying in the second hole of said first flange and in the first hole of said second flange of said second housing, for projection into empty holes in said flanges of said first housing to join said second housing to said first housing.

Papers related to this application may be submitted to Technology Center (TC) 2800 by facsimile transmission. Papers should be faxed to TC 2800 via the PTO Fax Center located in CP4-4C23. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP4 Fax Center numbers are 703-872-9318 for regular communications and 703-872-9319 for After Final communications

If the Applicant wishes to send a Fax dealing with either a Proposed Amendment or for discussion for a phone interview then the fax should:

- a) Contain either the statement "DRAFT" or "PROPOSED AMENDMENT" on the Fax Cover Sheet; and
- b) Should be unsigned by the attorney or agent.

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This will ensure that it will not be entered into the case and will be forwarded to the examiner as quickly as possible.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Hwa Lee whose telephone number is (703) 305-0538.

The examiner can normally be reached on M-Th. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on 703-308-4881.



Andrew Lee  
Patent Examiner  
Art Unit 2877  
June 13, 2003/ahl



Frank Font  
Supervisory Patent Examiner  
Art Unit 2877